

**MINUTES
OF THE
REGULAR MEETING OF
LAKEWOOD CITY COUNCIL
HELD IN COUNCIL CHAMBERS
12650 DETROIT AVENUE
DECEMBER 6, 2010
7:30 P.M.**

Regular Meeting of the Lakewood City Council called to order at 7:45 PM by Council President Butler

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Present: Councilmembers, Nickie J. Antonio, Thomas Bullock, Kevin Butler, Mary Louise Madigan, Brian Powers, Monique Smith, Michael P. Summers.

....

Also Present: Mayor FitzGerald, Law Director Hurley, Finance Director Pae, Public Works Director Beno, Police Chief Malley, Acting Fire Chief Gilman, Human Services Director Buckon, Planning & Development Director Kelly, Housing's Ashby.

Motion by Mr. Butler, seconded by Mr. Powers, to approve the Minutes of November 15, 2010 without the necessity of a reading.

Motion adopted. Six members present voting yea.
Ms. Antonio abstains.

******OLD BUSINESS******

1. Public Safety Committee Report regarding Ordinances NoS.76-10 & 103-10. (To Be Provided)

#1 Public Safety Committee report regarding Ordinances 76-10 and 130-10 – Powers
The Public Safety Committee met this evening and we were happy to have in attendance all members of Council as well as Chief Malley who walked us through a little bit of information regarding the Ward I and Ward III leases. The Public Safety Committee, after looking over those lease documents decided to defer the lease for the Ward I station in order to have someone in the administration make a phone call to see if there's a way to have a slightly lower increase in the rent in that particular location. And, by the way, the Ward III police station lease is only on for second reading tonight so we need to get that one another reading anyway and so we can address both leases together as perhaps we should, at the next meeting and we'll have another Public Safety Committee meeting in advance of that. We voted unanimously to defer on the Ward I lease and to place the Ward III lease on second reading and refer back to our committee.

Motion by Mr. Powers, seconded by Ms. Madigan, to receive and file the Public Safety Committee Report.

Motion adopted. All Members voting yea.

2. **ORDINANCE NO. 76-10** - AN ORDINANCE to take effect immediately provided it received the affirmative vote of at least five (5) members elected to Council otherwise, it shall take effect and be in force after the earliest period allowed by law, requesting Council's specific approval of and authorizing the Mayor to enter into an Addendum to and Renewal of Lease for property located at 17415 Detroit Avenue, Lakewood, Ohio for use by the Division of Police ("Division") as the Ward I Neighborhood Police Station, in accordance with Lakewood Codified Ordinance §111.04(a)(4). (PLACED ON 1ST READING & REFERRED TO THE PUBLIC SAFETY COMMITTEE 11/1/10, 2ND READING 11/15/10) (Pg.12)

Motion by Mr. Butler, seconded by Ms. Madigan, to defer action on this item.

Motion adopted. All members voting yea.

3. **ORDINANCE NO. 103-10** – AN ORDINANCE to take effect immediately provided it received the affirmative vote of at least five (5) members elected to Council otherwise, it shall take effect and be in force after the earliest period allowed by law, requesting Council's specific approval of and authorizing the Mayor to renew a lease for property located at 14300 Detroit Avenue, Unit 116, Lakewood, Ohio for use by the Division of Police ("Division") as the Ward III Neighborhood Police Station, in accordance with Lakewood Codified Ordinance § 111.04(a)(4). (PLACED ON 1ST READING & REFERRED TO THE PUBLIC SAFETY COMMITTEE 11/15/10) (Pg.15)

Motion by Mr. Butler, seconded by Ms. Madigan, to place Ordinance No. 103-10 on 2nd Reading and refer it back to the Public Safety Committee.

Motion adopted. All members voting yea.

4. **ORDINANCE NO. 77-10** – AN ORDINANCE to amend sections within Section 501.01, Definitions, of the Lakewood Codified Ordinances to include definitions for the terms "gender identity or expression" and "sexual orientation.". (1ST READING & REFERRED TO RULES & ORDINANCES COMMITTEE 11/15/10) (Pg.17)

Motion by MR. Butler, seconded by Ms. Madigan, to place Ordinance No. 77-10 on 2nd Reading.

Motion adopted. All members voting yea.

5. **ORDINANCE NO. 78-10** – AN ORDINANCE to amend Section 537.18, Intimidation, of the Lakewood Codified Ordinances to include the prohibition of intimidation based on a person’s gender identity or expression. (PLACED ON 1S READING & REFERRED TO THE RULES & ORDINANCES COMMITTEE 11/15/10) (Pg.19)

Motion by Mr. Butler, seconded by Ms. Madigan, to place Ordinance No. 78-10 on 2nd Reading and refer back to the Rules & Ordinances Committee.

Motion adopted. All members voting yea.

6. **ORDINANCE NO. 79-10** – AN ORDINANCE to amend sections with Chapter 516, Fair Housing, of the Lakewood Codified Ordinances to include the prohibition of intimidation based on a person’s gender, gender identity or expression. (PLACED ON 1ST READING & REFERRED TO THE RULES & ORDINANCES COMMITTEE 11/15/10) (Pg.21)

Motion by Mr. Butler, seconded by Ms. Madigan, to place Ordinance No. 79-10 on 2nd Reading and refer it back to the Rules & Ordinances Committee.

Motion adopted. All members voting yea.

7. **RESOLUTION NO. 8455-10** – A RESOLUTION to better address chronic speeding in Lakewood by identifying options for traffic calming design features for potential deployment in Lakewood neighborhoods. (PLACED ON 1ST READING & REFERRED TO THE PUBLIC WORKS COMMITTEE 11/15/10) (Pg.24)

Motion by Mr. Butler, seconded by Ms. Madigan, to place Resolution No. 8455-10 on 2nd Reading.

Motion adopted. All members voting yea.

8. **ORDINANCE NO. 82-09C** - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members elected to Council otherwise, it shall take effect and be in force after the earliest period allowed by law amending Ordinance 82-09B, adopted September 20, 2010 for the purpose of adding, deleting, and increasing contracting authority for the Mayor (Director of Public Safety), the Director of Public Works, the Director of Law, the Director of Finance, and/or the Purchasing Manager to enter into contracts for professional services, and to advertise for bids and enter into contracts for the purchase of repair maintenance and operating supplies, services and equipment as

authorized by the 2010 Appropriation Ordinance and the Administrative Code of the City of Lakewood with the lowest and best bidder or bidders or as otherwise provided by law. (PLACED ON 1ST READING & REFERRED TO THE FINANCE COMMITTEE 11/15/10) (Pg. 25)

Motion by Mr. Butler, seconded by Ms. Madigan, to place Ordinance No. 82-09C on 2nd Reading and refer it back to the Finance Committee.

Motion adopted. All members voting yea.

9. **ORDINANCE NO. 80-10** - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members elected to Council otherwise, it shall take effect and be in force after the earliest period allowed by law to authorize the transfer and advance of certain funds. (PLACED ON 1ST READING & REFERRED TO THE FINANCE COMMITTEE 11/15/10) (Pg.28)

Motion by Mr. Butler, seconded by Ms. Antonio, to place Ordinance No. 80-10 on 2nd Reading and refer it back to the Finance Committee.

Motion adopted. All members voting yea.

10. **ORDINANCE NO. 81-10** - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members elected to Council otherwise, it shall take effect and be in force after the earliest period allowed by law to establish appropriations for current expenses and other expenditures of the City of Lakewood, State of Ohio, for the fiscal year ending December 31, 2010. (PLACED ON 1ST READING & REFERRED TO THE FINANCE COMMITTEE 11/15/10) (Pg. 29)

Motion by Mr. Butler, seconded by Ms. Antonio, to place Ordinance No. 81-10 on 2nd Reading and refer it back to the Finance Committee.

Motion adopted. All members voting yea.

11. { ORDINANCE NOS 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, AND 104 – 10 WERE PLACED ON 1st READING AND REFERRED TO THE COMMITTEE OF THE WHOLE 11/15/10}

Motion by Mr. Butler, seconded by Ms. Madigan, to suspend the rules requiring an individual vote be taken after each ordinance and requiring one blanket motion for **ORDINANCE NOS 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99,**

100, 101, 102, AND 104 – 10 WERE PLACED ON 1st READING AND REFERRED TO THE COMMITTEE OF THE WHOLE 11/15/10.

Yeas: Antonio, Bullock, Butler, Madigan, Powers, Smith, Summers

Nays: None.

Motion adopted. Rules suspended.

Items 12-33 were read.

12. **ORDINANCE NO. 82-10** - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members elected to Council otherwise, it shall take effect and be in force after the earliest period allowed by law authorizing and directing the Mayor (Director of Public Safety), the Director of Public Works, the Director of Law, the Director of Finance, and/or the Purchasing Manager to advertise for bid and enter into a contract with the lowest and best bidder in accordance with the Administrative Code of the City of Lakewood for **Buildings & Facilities Improvements** in accordance with the Administrative Code of the City of Lakewood, contracts not to exceed the specified amounts shown without separate resolution of Council. (Pg. 37)

*Blanket motion to place on 2nd Reading was made after item 33.

13. **ORDINANCE NO. 83-10** - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members elected to Council otherwise, it shall take effect and be in force after the earliest period allowed by law authorizing and directing the Mayor (Director of Public Safety), the Director of Public Works, the Director of Law, the Director of Finance, and/or the Purchasing Manager to engage architectural and/or engineering firms to provide professional services in the design and preparation of specifications and contract administration and to advertise for bids and enter into a contract with the lowest and best bidder for **Buildings & Facilities Improvements** in accordance with the Administrative Code of the City of Lakewood, contracts not to exceed the specified amounts shown without separate resolution of Council. (Pg. 38)

*Blanket motion to place on 2nd Reading was made after item 33.

14. **ORDINANCE NO. 84-10** - AN ORDINANCE to take effect immediately provided it received the affirmative vote of at least five (5) members elected to Council otherwise. It shall take effect and be in force after the earliest period allowed by law for the purpose of authorizing and directing the Mayor (Director of Public Safety), the Director of Public Works, the Director of Law, the Director of Finance, and/or the Purchasing Manager to engage architectural and/or engineering firms to provide professional services in the design and preparation of specifications and contract administration and to advertise for bids and enter into

a contract with the lowest and best bidder for **C.D.B.G. Fund Infrastructure Improvements** in accordance with the administrative code of the City of Lakewood, contracts not to exceed the specified amounts shown without separate resolution of Council. (Pg.39)

*Blanket motion to place on 2nd Reading was made after item 33.

15. **ORDINANCE NO. 85-10** - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members elected to Council otherwise, it shall take effect and be in force after the earliest period allowed by law authorizing and directing the Mayor (Director of Public Safety), the Director of Public Works, the Director of Law, the Director of Finance, and/or the Purchasing Manager to advertise for bid and enter into a contract with the lowest and best bidder in accordance with the Administrative Code of the City of Lakewood for the purchase of **Computers & Systems**, with contracts not to exceed the specified amounts shown without separate resolution of Council. (Pg.40)

*Blanket motion to place on 2nd Reading was made after item 33.

16. **ORDINANCE NO. 86-10** - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members elected to Council otherwise, it shall take effect and be in force after the earliest period allowed by law authorizing and directing the Mayor (Director of Public Safety), the Director of Public Works, the Director of Law, the Director of Finance, and/or the Purchasing Manager to advertise for bid and enter into a contract with the lowest and best bidder in accordance with the Administrative Code of the City of Lakewood for **Parks & Pools Improvements** in accordance with the Administrative Code of the City of Lakewood, contracts not to exceed the specified amounts shown without separate resolution of Council. (Pg. 41)

*Blanket motion to place on 2nd Reading was made after item 33.

17. **ORDINANCE NO. 87-10** - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members elected to Council otherwise, it shall take effect and be in force after the earliest period allowed by law authorizing and directing the Mayor (Director of Public Safety), the Director of Public Works, the Director of Law, the Director of Finance, and/or the Purchasing Manager to engage architectural and/or engineering firms to provide professional services in the design and preparation of specifications and contract administration and to advertise for bids and enter into a contract with the lowest and best bidder for **Parks & Pools Improvements** in accordance with the Administrative Code of the City of Lakewood, contracts not to exceed the specified amounts shown without separate resolution of Council. (Pg.42)

*Blanket motion to place on 2nd Reading was made after item 33.

18. **ORDINANCE NO. 88-10** - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members elected to Council otherwise, it shall take effect and be in force after the earliest period allowed by law authorizing and directing the Mayor (Director of Public Safety), the Director of Public Works, the Director of Law, the Director of Finance, and/or the Purchasing Manager to engage architectural and/or engineering firms to provide professional services in the design and preparation of specifications and contract administration and to advertise for bids and enter into a contract with the lowest and best bidder for **Sidewalk Improvements** in accordance with the Administrative Code of the City of Lakewood, contracts not to exceed the specified amounts shown without separate resolution of Council. (Pg.43)

*Blanket motion to place on 2nd Reading was made after item 33.

19. **ORDINANCE NO. 89-10** - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members elected to Council otherwise, it shall take effect and be in force after the earliest period allowed by law authorizing and directing the Mayor (Director of Public Safety), the Director of Public Works, the Director of Law, the Director of Finance, and/or the Purchasing Manager to engage architectural and/or engineering firms to provide professional services in the design and preparation of specifications and contract administration and to advertise for bids and enter into a contract with the lowest and best bidder for **Street Infrastructure Improvements** in accordance with the Administrative Code of the City of Lakewood, contracts not to exceed the specified amounts shown without separate resolution of Council. (Pg. 44)

*Blanket motion to place on 2nd Reading was made after item 33.

20. **ORDINANCE NO. 90-10** - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members elected to Council otherwise, it shall take effect and be in force after the earliest period allowed by law authorizing and directing the Mayor (Director of Public Safety), the Director of Public Works, the Director of Law, the Director of Finance, and/or the Purchasing Manager to advertise for bid and enter into a contract with the lowest and best bidder in accordance with the Administrative Code of the City of Lakewood for the purchase of **Street Signs and Traffic Signals**, with contracts not to exceed the specified amounts shown without separate resolution of Council. (Pg. 90)

*Blanket motion to place on 2nd Reading was made after item 33.

21. **ORDINANCE NO. 91-10** - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members elected to Council otherwise, it shall take effect and be in force after the earliest period allowed by law authorizing and directing the Mayor (Director of Public Safety), the Director of Public Works, the Director of Law, the Director of Finance, and/or the Purchasing Manager to engage architectural and/or engineering firms to provide professional services in the design and preparation of specifications and contract administration and to advertise for bids and enter into a contract with the lowest and best bidder for **Signs & Traffic Signals** in accordance with the Administrative Code of the City of Lakewood, contracts not to exceed the specified amounts shown without separate resolution of Council. (Pg. 46)

*Blanket motion to place on 2nd Reading was made after item 33.

22. **ORDINANCE NO. 92-10** - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members elected to Council otherwise, it shall take effect and be in force after the earliest period allowed by law authorizing and directing the Mayor (Director of Public Safety), the Director of Public Works, the Director of Law, the Director of Finance, and/or the Purchasing Manager to advertise for bids and enter into contracts with the lowest and best bidder in accordance with the Administrative Code of the City of Lakewood for the purchase of **Vehicles, Machinery and Motorized Equipment**, contracts not to exceed the specified amounts shown without separate resolution of Council. (Pg. 47)

*Blanket motion to place on 2nd Reading was made after item 33.

23. **ORDINANCE NO. 93-10** - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members elected to Council otherwise, it shall take effect and be in force after the earliest period allowed by law authorizing and directing the Mayor (Director of Public Safety), the Director of Public Works, the Director of Law, the Director of Finance, and/or the Purchasing Manager to engage architectural and/or engineering firms to provide professional services in the design and preparation of specifications and contract administration and to advertise for bids and enter into a contract with the lowest and best bidder for **Water System Replacement Program** in accordance with the Administrative Code of the City of Lakewood, contracts not to exceed the specified amounts shown without separate resolution of Council. (Pg. 48)

*Blanket motion to place on 2nd Reading was made after item 33.

24. **ORDINANCE NO. 94-10** AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members elected to Council otherwise, it shall take effect and be in force after the earliest period allowed by law authorizing and directing the Mayor (Director of Public Safety), the Director of Public Works, the Director of Law, the Director of Finance, and/or

the Purchasing Manager to engage architectural and/or engineering firms to provide professional services in the design and preparation of specifications and contract administration and to advertise for bids and enter into a contract with the lowest and best bidder for **Wastewater System Replacement Program** in accordance with the Administrative Code of the City of Lakewood, contracts not to exceed the specified amounts shown without separate resolution of Council. (Pg. 49)

*Blanket motion to place on 2nd Reading was made after item 33.

25. **ORDINANCE NO. 95-10** - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members elected to Council otherwise, it shall take effect and be in force after the earliest period allowed by law authorizing and directing the Mayor (Director of Public Safety), the Director of Public Works, the Director of Law, the Director of Finance, and/or the Purchasing Manager to advertise for bid and enter into a contract with the lowest and best bidder in accordance with the Administrative Code of the City of Lakewood for **Wastewater Treatment Plant Improvements** in accordance with the Administrative Code of the City of Lakewood, contracts not to exceed the specified amounts shown without separate resolution of Council. (Pg.50)

*Blanket motion to place on 2nd Reading was made after item 33.

26. **ORDINANCE NO. 96-10** - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members elected to Council otherwise, it shall take effect and be in force after the earliest period allowed by law authorizing and directing the Mayor (Director of Public Safety), the Director of Public Works, the Director of Law, the Director of Finance, and/or the Purchasing Manager to engage architectural and/or engineering firms to provide professional services in the design and preparation of specifications and contract administration and to advertise for bids and enter into a contract with the lowest and best bidder for **Wastewater Treatment Plant Improvements** in accordance with the Administrative Code of the City of Lakewood, contracts not to exceed the specified amounts shown without separate resolution of Council. (Pg.51)

*Blanket motion to place on 2nd Reading was made after item 33.

27. **ORDINANCE NO. 97-10** - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members elected to Council otherwise, it shall take effect and be in force after the earliest period allowed by law to establish appropriations for current expenses and other expenditures of the City of Lakewood, State of Ohio, for the fiscal year ending December 31, 2011.(Pg. 52)

*Blanket motion to place on 2nd Reading was made after item 33.

28. **ORDINANCE NO. 98-10** - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members elected to Council otherwise, it shall take effect and be in force after the earliest period allowed by law authorizing the Mayor (Director of Public Safety), the Director of Public Works, the Director of Law, the Director of Finance, and/or the Purchasing Manager to enter into contracts for professional services, and to advertise for bids and enter into contracts for the purchase of repair maintenance and operating supplies, services and equipment as authorized by the 2011 Appropriation Ordinance and the Administrative Code of the City of Lakewood with the lowest and best bidder or bidders or as otherwise provided by law. (Pg. 59)

*Blanket motion to place on 2nd Reading was made after item 33.

29. **ORDINANCE NO. 99-10** - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members elected to Council otherwise, it shall take effect and be in force after the earliest period allowed by law authorizing the Mayor (Director of Public Safety), the Director of Public Works, the Director of Law, the Director of Finance, and/or the Purchasing Manager to enter into service contracts in accordance with the Administrative Code of the City of Lakewood for the **Division of Planning & Development** in accordance with the Administrative Code of the City of Lakewood, contracts not to exceed the specified amounts shown without separate resolution of Council. (Pg. 61)

*Blanket motion to place on 2nd Reading was made after item 33.

30. **ORDINANCE NO. 100-10** - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members elected to Council otherwise, it shall take effect and be in force after the earliest period allowed by law authorizing the Mayor (Director of Public Safety), the Director of Public Works, the Director of Law, the Director of Finance, and/or the Purchasing Manager to enter into contracts for **Memberships** as authorized by the 2011 Appropriation Ordinance and the Administrative Code of the City of Lakewood, contracts not to exceed \$60,000 without separate Resolution of Council. (Pg. 62)

*Blanket motion to place on 2nd Reading was made after item 33.

31. **ORDINANCE NO. 101-10** - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members elected to Council otherwise, it shall take effect and be in force after the earliest period allowed by law, to amend Ordinance 84-09 adopted December 21, 2009 to amend Chapter 915, Water Rates, of the Codified Ordinances of the City of Lakewood for the purpose of adjusting water rates charged against each lot, parcel of land or premises which may have an active water connection with the Municipal water system. (Pg. 64)

*Blanket motion to place on 2nd Reading was made after item 33.

32. **ORDINANCE NO. 102-10** - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members elected to Council otherwise, it shall take effect and be in force after the earliest period allowed by law, amending Ordinance 85-09, adopted December 21, 2009 to amend section 902.04, Rates and Charges, of the Codified Ordinances of the City of Lakewood for the purpose of adjusting sewer rates charged against each lot, parcel of land or premises which may have an active sewer connection with the Municipal wastewater disposal system or which may otherwise discharge wastewater either directly or indirectly into such system or any part thereof. (Pg. 65)

*Blanket motion to place on 2nd Reading was made after item 33.

33. **ORDINANCE NO. 104-10** - AN ORDINANCE to take effect immediately provided it received the affirmative vote of at least five (5) members elected to Council otherwise, it shall take effect and be in force after the earliest period allowed by law provide for creating positions and rates of pay for full-time and certain part-time annual salaried employees and hourly rate employees not covered by a collective bargaining agreement in the several departments, divisions and offices of the City of Lakewood, including the Chief of Fire, Chief of Police and Civil Service Commissioners. (Pg. 67)

*Motion by MR. Butler, seconded by Ms. Madigan, to place **ORDINANCE NOS 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, AND 104 – 10 on 2ND READING.**

Motion adopted. All members voting yea.

****NEW BUSINESS****

34. Communication from Council President Butler regarding Resolution Commending Fire Chief Mroz. (Pg.71)

Motion by Mr. Butler, seconded by Ms. Madigan, to receive and file the communication.
Motion adopted. All members voting yea.

35. **RESOLUTON NO. 8457-10** - A RESOLUTION to commend Chief Lawrence Mroz for his more than 37 years of devoted public service as a member of the Division of Fire of the City of Lakewood. (Pg. 72)

Motion by Mr. Butler, seconded by Ms. Madigan, to suspend the rules requiring this resolution to be read on three separate days and placing Resolution No. 8457-10 on final reading.

Yeas: Antonio, Bullock, Butler, Madigan, Powers, Smith, Summers.

Nays; None

Motion adopted. All members voting yea.

Motion by Mr. Butler, seconded by Ms. Madigan, to adopt Resolution No. 8457-10.

Yeas: Antonio, Bullock, Butler, Madigan, Powers, Smith, Summers.

Nays; None

Motion adopted. Resolution No. 8457-10 adopted.

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36. Communication from Council President Butler regarding Council Appointments to Boards and Commissions. (To Be Provided)

Mr. Butler supplemented the communication indicating Citizen Advisory Committee and Community Relations Commission appointments made by individual council members will also be required.

Motion by Mr. Butler, seconded by Ms. Madigan, to receive and file the communication.

Motion adopted. All members voting yea.

Motion by Mr. Butler, seconded by Mr. Bullock, to suspend the rules and allowing items 37-49 to be read consecutively without an individualized vote; making a blanket motion after item 49.

Yeas: Antonio, Bullock, Butler, Madigan, Powers, Smith, Summers

Nays: None

Motion adopted. Rules suspended –

Items 37-49 were read consecutively.

37. **RESOLUTION NO. 8458-10** – Resolution to appoint _____ as a member of the Governing Board of Lakewood Hospital for the unexpired two-year term, ending December 31,2011. (PG. 73)

** Blanket motion to place on 1st Reading and refer to the Committee of the Whole was made after Item 49.

38. **RESOLUTION NO. 8459-10** – Resolution to appoint _____ as a Special Trustee of the Lakewood Hospital Association Board for a full five-year term, ending December 31, 2015. (Pg.74)

**Blanket motion to place on 1st Reading and refer to the Committee of the Whole was made after Item 49.

39. **RESOLUTION NO. 8460-10** – Resolution to appoint _____ as a Community Trustee for the Lakewood Hospital Association Board for a five-year term, ending December 31, 2015. (Pg.75)

**Blanket motion to place on 1st Reading and refer to the Committee of the Whole was made after Item 49.

40. **RESOLUTION NO. 8461-10** – Resolution to appoint _____ to the Lakewood Planning Commission for a full six-year term, ending December 31, 2016. (Pg.76)

**Blanket motion to place on 1st Reading and refer to the Committee of the Whole was made after Item 49.

41. **RESOLUTION NO. 8462-10** – Resolution to appoint _____ as a member of the City of Lakewood Audit Committee for a two-year term, ending December 31, 2012. (Pg.77)

**Blanket motion to place on 1st Reading and refer to the Committee of the Whole was made after Item 49.

42. **RESOLUTION NO. 8463-10** – Resolution to appoint _____ as a member of the City of Lakewood Audit Committee for a two-year term, ending December 31, 2012. (Pg.78)

**Blanket motion to place on 1st Reading and refer to the Committee of the Whole was made after Item 49.

43. **RESOLUTION NO. 8464-10** – Resolution to appoint _____ as a member of the Lakewood Heritage Advisory Board for the full four-year term, commencing January 1, 2011 and ending December 31, 2014. (Pg.79)

**Blanket motion to place on 1st Reading and refer to the Committee of the Whole was made after Item 49.

44. **RESOLUTION NO. 8465-10** – Resolution to appoint_____ as a member of the Lakewood Heritage Advisory Board for the full four-year term, commencing January 1, 2011 and ending December 31, 2014. (Pg.80)

**Blanket motion to place on 1st Reading and refer to the Committee of the Whole was made after Item 49.

45. **RESOLUTION NO. 8466-10** – Resolution to appoint_____ as a member of the Animal Safety and Welfare Advisory Board for the unexpired two-year term, ending December 31, 2011. (Pg.81)

**Blanket motion to place on 1st Reading and refer to the Committee of the Whole was made after Item 49.

46. **RESOLUTION NO. 8467-10** – Resolution to appoint_____ as a member of the Animal Safety and Welfare Advisory Board for a two-year term, ending December 31, 2012. (Pg. 82)

**Blanket motion to place on 1st Reading and refer to the Committee of the Whole was made after Item 49.

47. **RESOLUTION NO. 8468-10** – Resolution to appoint_____ as a member of the Animal Safety and Welfare Advisory Board for a two-year term, ending December 31, 2012. (Pg.83)

**Blanket motion to place on 1st Reading and refer to the Committee of the Whole was made after Item 49.

48. **RESOLUTION NO. 8469-10** - Resolution to appoint_____ as a member of the Municipal Income Tax Board of Review for a one year term ending December 31, 2011. (Pg.)

**Blanket Motion made after Item 49 to place on 1st Reading & Refer to the Committee of the Whole.

49. **RESOLUTION NO. 8470-10** – Resolution appointing_____ to the Emergency Medical Services Commission for the full two year term. (Pg.84)

**Blanket motion made by Mr. Butler, seconded by Ms. Madigan, to place Resolutions reflected in items 37-49 on 1st Reading and refer them to the Committee of the Whole.

Motion adopted. All members voting yea.

50. Communication from Mayor FitzGerald regarding Agreement for Public Health Services. (Pg.85)

Motion by Mr. Butler, seconded by Ms. Antonio, to receive, file and refer the communication to the Health & Human Services Committee.

Motion adopted. All members voting yea.

51. **ORDINANCE NO. 105-10** - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members elected to Council otherwise, it shall take effect and be in force after the earliest period allowed by law, to enter into an agreement with the District Advisory Council of Cuyahoga County, Ohio General Health District for the provision of public health services within the City of Lakewood in an amount not to exceed Two Hundred Nine Thousand Five Hundred Ninety Dollars (\$209,590.00) for a one year period commencing January 1, 2011. (Pg. 86)

Motion by Mr. Butler, seconded by Ms. Madigan, to place Ordinance No. 105-10 on 1st Reading and refer it to the Health & Human Services Committee.

Motion adopted. All members voting yea.

52. Communication from Law Director Hurley regarding Changes to Parking Chapter Provisions. (Pg.87)

Motion by Mr. Butler, seconded by Ms. Madigan, to receive, file and refer the communication to the Public Safety Committee.

Motion adopted. All members voting yea.

53. **ORDINANCE NO. 106-10** – AN ORDINANCE to move Section 351.20, Bus Stops; Taxicab Stands of the Codified Ordinances of the City of Lakewood out of the Parking Chapter to Chapter 331, Operation Generally as this section is often cited for a moving violation and should not be a civil parking violation. (Pg.89)

Motion by Mr. Butler, seconded by Ms. Madigan, to place Ordinance No. 106-10 on 1st Reading and refer it to the Public Safety Committee.

Motion adopted. All members voting yea.

54. **ORDINANCE NO. 107-10** - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members elected to Council otherwise, it shall take effect and be in force after the earliest period

allowed by law to amend Section 351.01, Limitations on Parking, of the Codified Ordinances of the City of Lakewood to enact certain subsections of this provision that were deleted as the result of a typographical error. (Pg.93)

Motion by Mr. Butler, seconded by Ms. Antonio, to place Ordinance No. 107-10 on 1st Reading and refer it to the Public Safety Committee.

Motion adopted. All members voting yea.

55. Communication from Law Director Hurley regarding Emergency Authority/Immanent Danger. (Pg. 97)

Motion by Mr. Butler, seconded by Ms. Madigan, to receive, file and refer the communication to the Housing Committee.

Motion adopted. All members voting yea.

56. **ORDINANCE NO. 108-10** - AN ORDINANCE to enact a new Section 1306.75, Emergency Authority for Order to Vacate; Imminent Danger, of the Codified Ordinances of the City of Lakewood, to grant the Building Commissioner authority to require a building found to create a risk to the life or safety of its occupants be vacated and not occupied until necessary repairs have been made or the provision of basic utility services have been restored in instances where the lack of maintenance or utilities places the tenants of the building in imminent danger. (Pg.98)

Motion by Mr. Butler, seconded by Ms. Madigan, to place Ordinance No. 108-10 on 1st Reading and refer it to the Housing Committee.

Motion adopted. All members voting yea.

57. Liquor Permit Application for new C1 & C2 classes to The Greek Village Grille, 14019 Madison Avenue. (Pg.100)

Motion by Mr. Powers, seconded by Mr. Summers, to file no objection to this liquor permit.

Motion adopted. All members voting yea.

58. Liquor Permit Application for a new D4 class to Pride of Cleveland Scooters, 18636 Detroit. (Pg.101)

Motion by Mr. Butler, seconded by Ms. Madigan, to defer action on this liquor permit.

Motion adopted. All members voting yea.

59. Liquor Permit Application for C1 and C2 transfers to Ohio CVS Stores from Revco Discount Drug Centers d/b/a CVS Pharmacy – Pharmacy 3329 11706 Clifton Blvd. (Pg. 102)

Motion by Mr. Powers, seconded by Ms. Madigan, to file no objection to this liquor permit.

Motion adopted. All members voting yea.

60. Liquor Permit application for C1 and C2 transfers to Ohio CVS Stores – Pharmacy 3340, 15311 Detroit Avenue from Revco Discount Drug Centers d/b/a CVS Pharmacy same address) (Pg. 103)

Motion by Mr. Powers, seconded by Mr. Butler, to file no objection to this liquor permit.

Motion adopted. All members voting yea.

Motion by Mr. Butler, seconded by Ms. Madigan, to adjourn the meeting.

Motion adopted. All members voting yea.

Meeting adjourned 8:35 PM.

Approved: _____

CLERK

PRESIDENT